

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701-3271
WWW.FULBRIGHT.COM

RECEIVED
CENTRAL FAX CENTER
NOV 29 2004

FACSIMILE TRANSMISSION**DATE:** November 29, 2004**MATTER NUMBER:** 10414160 /
CLFR:181USD6

RECIPIENT:	FAX NO.:	PHONE NO.:
Commissioner for Patents U.S. Patent Office	(703) 872-9306	

FROM: Julie Erwin**FLOOR:** 20**PHONE:** (512) 536-3119**FAX:** (512) 536-4598

Re: U.S. Patent Application No. 10/680,349 entitled "HOMOLOGOUS 28-KILODALTON
IMMUNODOMINANT PROTEIN GENES OF EHRlichia CANIS AND USES
THEREOF"

NUMBER OF PAGES INCLUDING COVER PAGE: 9**Message:**

Attached please find a Revocation and Substitute Power of Attorney for the above-referenced U.S. patent application.

CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
JULIE ERWIN AT (512) 536-3119 AS SOON AS POSSIBLE.**

BEST AVAILABLE COPY

11-24-04; 2:10PM:CLAYTON FOUNDATION

RECEIVED 11 29 2004 12:30 FAX 512 536 4598
CENTRAL FAX CENTER
NOV 29 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David H. Walker *et al.*

Serial No.: 10/680,349

Filed: October 7, 2003

For: HOMOLOGOUS 28-KILODALTON
IMMUNODOMINANT PROTEIN GENES
OF EHRlichia CANIS AND USES
THEREOF

Group Art Unit: 1645

Examiner: Unknown

Atty. Dkt. No.: CLFR:181USD6

CERTIFICATE OF FACSIMILE TRANSMISSION
37 C.F.R. § 1.8

I certify that this correspondence is being transmitted to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450, facsimile number (703) 872-8306 on the date
below:

Date

11/29/04

David L. Parker

REVOCATION AND SUBSTITUTE POWER OF ATTORNEY
PURSUANT TO 37 C.F.R. §§ 3.71 and 3.73(b)
AND CHANGE OF CORRESPONDENCE ADDRESS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints the following ten (10) patent practitioners:

David L. Parker, Reg. No. 32,165;
Mark B. Wilson, Reg. No. 37,259;
Steven L. Highlander, Reg. No. 37,642;
Robert E. Hanson, Reg. No. 42,628;
Gina N. Shishima, Reg. No. 45,104; and

Michael R. Krawzsenck, Reg. No. 51,898
Charles P. Landrum, Reg. No. 46,855
Melissa W. Acosta, Reg. No. 45,872
Jila Bakker, Reg. No. 53,962;
Melissa L. Sistrunk, Reg. No. 45,579

25476610.1

11-24-04; 2:10PM;CLAYTON FOUNDATION

10 713 963 5855

8 / 18

each an attorney or agent of the firm of FULBRIGHT & JAWORSKI L.L.P., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to RESEARCH DEVELOPMENT FOUNDATION, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

David L. Parker
FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
512/474-5201

ASSIGNEE:
RESEARCH DEVELOPMENT
FOUNDATION

By: James F. Weiler
Name: James F. Weiler
Title: Vice President
Date: November 24, 2004

ASSIGNMENT:

☐ Concurrently filed
☒ Previously recorded
Date: February 20, 2002
Reel: 012650
Frames: 0510

25476610.1



MAY 03, 2002

PTAS

Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.govADLER & ASSOCIATES
DR. BENJAMIN ADLER
8011 CANDLE LN.
HOUSTON, TEXAS 77071

102012657A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/20/2002

REEL/FRAME: 012650/0510
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
WALKER, DAVID H.

DOC DATE: 01/31/2002

ASSIGNOR:
MCBRIDE, JERE W.

DOC DATE: 01/31/2002

ASSIGNOR:
YU, XUE-JIE

DOC DATE: 01/31/2002

ASSIGNEE:
RESEARCH DEVELOPMENT FOUNDATION
402 NORTH DIVISION STREET
CARSON CITY, NEVADA 89703SERIAL NUMBER: 09660587
PATENT NUMBER:FILING DATE: 09/12/2000
ISSUE DATE:

012650/0510 PAGE 2

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

03-13-2002

now

2/20/02



DEPT OF COMMERCE

102012657 Trademark Office

Recordation Form Cover SheetTo the Honorable Commissioner of Patents and Trademarks, Please record the attached documents.

1. Name of conveying party(ies):

David H. Walker
Jere W. McBride
Xue-Jie Yu

2. Name and address of receiving party(ies):

Name: Research Development FoundationAddress: 402 North Division Street
Carson City, NV 89703

Additional names of conveying party(ies) attached?

☒ NO ☐ YES

3. Nature of Conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement
☐ Change of Name
☐ OTHER _____

Additional names & addresses attached?

☒ NO ☐ YES

Execution Date(s): January 31, 2002

4. Application number(s) or patent number(s): 09/660,587Additional numbers attached? ☒ NO ☐ YES


5. Name and address of party to whom correspondence concerning document should be mailed:

Name:
Dr. Benjamin Adler
ADLER & ASSOCIATESAddress:
8011 Candle Ln.
Houston, Texas 770716. Total number of applications and patents involved: 17. Total Fee (37 CFR 3.41):.....\$40.00 ☐ enclosed ☒ authorized to charge deposit account8. Deposit Account number: 07-1185 (duplicate copy attached if paying by deposit account)

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Benjamin Aaron Adler Ph.D., J.D.

Name of person signing


Signature2/1/02
Date

Total number of pages comprising cover sheet: 1

1/13/2002 TDIAZ1 00000032 071185 09660587

FC:581 40.00 CH

D6152CIP2

ASSIGNMENT

WHEREAS, we, David H. Walker, of 22 North Dansby, Galveston, Texas 77551, Jere W. McBride, 214 Tuna St., Galveston, Texas 77550, and Xue-Jie Yu, 1910 Hillside Oak Lane, Houston, Texas 77062, (hereinafter collectively called "ASSIGNORS"), are co-inventors and owners of certain new and useful improvements in *Homologous 28-Kilodalton Immunodominant Protein Genes of Ehrlichia canis and Uses Thereof*, an application for United States Letters Patent having been filed on September 12, 2000 and given United States Serial Number 09/660,587;

WHEREAS, the Research Development Foundation (hereinafter called "ASSIGNEE") a non-profit organization duly organized and existing under and by virtue of the laws of the state of Nevada, and having a place of business at 402 North Division Street, Carson City, Nevada 89703, is desirous of acquiring and ASSIGNOR is desirous of assigning to ASSIGNEE all right, title and interest in and to said invention and application identified above;

NOW, THEREFORE, ASSIGNORS, for and in consideration of Ten Dollars (\$10.00) to us in hand paid, and for other good and valuable consideration, the receipt of all of which is hereby acknowledged, do hereby sell, assign and convey upon ASSIGNEE and its successors and assigns the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by us, this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and we authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and we agree for us and our respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign

such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

And we do further covenant and agree that we will, at any time upon request, communicate to the Assignee, its successors, assigns or other legal representative, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested, without further compensation but at the expense of said Assignee, its successors or other legal representatives.

DATE: 1/31/02

David H. Walker
David H. Walker

STATE OF TEXASCOUNTY OF GALVESTON

Before me this 31 day of January, 2002, personally appeared DAVID H. Walker known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public



My Commission Expires:

DATE: 1/31/02

Jere W. McBride
Jere W. McBride

STATE OF TEXASCOUNTY OF GALVESTON

Before me this 31 day of January, 2002, personally appeared JERE McBride known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public

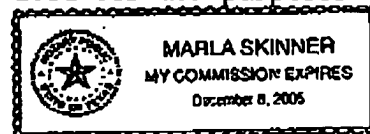


My Commission Expires:

DATE: 1/31/02Xue-Jie YuSTATE OF Texas:COUNTY OF GALVESTON:

Before me this 31 day of January, 2002, personally appeared Xue-Jie Yu known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.

Notary Public



My Commission Expires:

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.